

## ORDINANCE

AN ORDINANCE TO ESTABLISH A HISTORIC PRESERVATION COMMISSION IN THE CITY OF RICHMOND HILL TO PROVIDE FOR DESIGNATION OF HISTORIC PROPERTIES OR HISTORIC DISTRICTS; TO PROVIDE FOR ISSUANCE OF CERTIFICATES OF APPROPRIATENESS; TO PROVIDE FOR AN APPEALS PROCEDURE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE RICHMOND HILL CITY COUNCIL.

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### SECTION I

A. *Purpose and Intent.* In support and furtherance of its findings and determinations that:

- a. the historical, cultural and aesthetic heritage of the City of Richmond Hill is among its most valued and important assets and
- b. that the preservation of this heritage is essential to the promotion of the health, prosperity and general welfare of the people; and
- c. in order to stimulate revitalization of the business districts and historic neighborhoods and
- d. to protect and enhance local historic and aesthetic attractions to tourists and thereby promote and stimulate business; and
- e. in order to enhance the opportunities for federal or state tax benefits under relevant provisions of federal or state law; and
- f. in order to provide for the designation, protection, preservation and rehabilitation of local historic landmarks and historic districts and to participate in federal or state programs to do the same.

The Richmond Hill City Council hereby declares it to be the purpose and intent of this Ordinance to establish a uniform procedure for use in providing for the protection, enhancement, perpetuation and use of places, districts, sites, buildings, structures, objects, and landscape features having a special historical, cultural or aesthetic interest or value, in accordance with the provisions of the Ordinance.

### SECTION II - Definitions

- A. *Alteration.* See *Material Change in Appearance*.
- B. *Building.* A building is a structure created to shelter any form of human activity, such as a house, barn, church, hotel or similar structure. Building may refer to a historically related complex such as a courthouse and jail or a house and barn.
- C. *Certificate of Appropriateness.* A document evidencing approval by the Historic Preservation Commission of an application to make a material change in the exterior appearance of a local historic landmark, an exceptionally significant resource, or of a resource located within a designated historic district.
- D. *Contributing.* Any resource located within a historic district which adds to the historical integrity or architectural qualities that make the historic district significant.
- E. *Exceptionally Significant Resource.* A building, structure, site, object, or landscape feature that has achieved significance within the past 50 years.

- F. *Exterior Architectural Features.* The architectural style, general design and general arrangement of the exterior of a building, structure or object, including but not limited to the kind, texture, or finish treatment of the building material, and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, features, details or elements relative to the forgoing.
- G. *Exterior Environmental Features.* The aspects of the landscape or the development of a site which affect the historic character of the resource.
- H. *Historic District.* A geographically definable area, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history. A historic district shall further mean an area designated by the Richmond Hill City Council as a historic district pursuant to the criteria established in Section IV B of this Ordinance.
- I. *Historic Preservation Commission.* The five member Board established under this ordinance appointed by the Mayor and ratified by City Council.
- J. *Historic Resource.* A building, structure, site, object, or landscape feature that has aged a minimum of 50 years.
- K. *Integrity.* Ability for a resource to convey its significance through location, design, setting, materials, workmanship, feeling, and association.
- L. *Landscape Feature.* Any element that is part of the physical landscape that is individually significant or associated with a historic resource, such as a tree, pond, canal, landform, or orchard.
- M. *Local Historic Landmark.* A building, structure, site, or object; including the adjacent area necessary for the proper appreciation or use thereof, deemed worthy of preservation by reason of value to the City of Richmond Hill, the region or the State of Georgia. A local historic landmark shall further mean a parcel designated by the Richmond Hill City Council as a local historic landmark pursuant to the criteria established in Section IV C of this Ordinance.
- N. *Material Change in Appearance.* A change that will affect either the exterior architectural or environmental features of a resource such as:
  - a. A reconstruction or alteration of the size, shape or façade of a resource, including relocation of any doors or windows or removal or alteration of any exterior architectural features, details or elements;
  - b. Demolition or relocation of a historic structure;
  - c. Commencement of excavation for construction purposes;
  - d. A change in the location of advertising visible from the public right-of-way; or
  - e. The erection, alteration, restoration or removal of any buildings or other structure within a historic resource or district, including walls, fences, steps and pavements, or other appurtenant features.
- O. *Non-Contributing.* Any resource that is within the bounds of a historic district but does not add to the historical integrity or architectural qualities that make the historic district significant.
- P. *Object.* An object is a material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

- Q. *Preservation.* The act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic resource.
- R. *Reconstruction.* The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object.
- S. *Rehabilitation.* The act or process of making possible a compatible use for a resource through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural character.
- T. *Restoration.* The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period.
- U. *Significance.* The importance of a resource to the history, architecture, archaeology, engineering, or culture of Richmond Hill based on association with historical events; association with a significant person; distinctive physical characteristics of design, construction, or form; or the potential to yield important information.
- V. *Site.* A site is the location of a significant event, a prehistoric or historical occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing structure.
- W. *Structure.* Functional constructions made for purposes other than human shelter; i.e. culverts, sheds, fences, outbuildings, silos, earthworks, etc.

### SECTION III - Creation of a Historic Preservation Commission

- A. *Creation of the Commission.* There is hereby created a commission whose title shall be "Richmond Hill Historic Preservation Commission" (hereinafter "Commission")
- B. *Commission Position within the City Government.* The Commission shall be part of the planning functions of the City of Richmond Hill.
- C. *Commission Members: Number, Appointment, Terms and Compensation.* The Commission shall consist of five (5) members appointed by the Mayor and ratified by the City Council.
  - a. *Residency Requirement.* All members shall be residents of Richmond Hill and shall be persons who have demonstrated special interest, experience or education in history, architecture or the preservation of historic resources.
  - b. *Background.* To the extent available in the City, at least 3 members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, or related professions.
  - c. *Composition.* Composition of the Commission shall adhere to the requirements outlined in the Historic Preservation Commission by-laws.
  - d. *Terms.* Members shall serve three-year terms. Members may not serve more than two (2) consecutive terms. In order to achieve staggered terms, initial appointments shall be: one (1) member for one (1) year; two (2) members for two (2) years; and two (2) members for three (3) years. Members shall not receive a salary, although they may be reimbursed for approved expenses.

D. *Statement of Commission's Power.* The Commission shall be authorized to perform the functions listed below.

- a. Prepare and maintain an inventory of all historic resources within the City of Richmond Hill having the potential for designation as local historic landmarks or resources in a historic district;
- b. Recommend to the Richmond Hill City Council specific districts, sites, buildings, structures, or objects to be designated by ordinance as local historic landmarks or local historic districts;
- c. Review application for Certificates of Appropriateness, and grant or deny the same in accordance with the provisions of this Ordinance;
- d. Recommend to the Richmond Hill City Council that the designation of any resource as a local historic landmark or a historic district be revoked or removed, if it is no longer able to convey its significance;
- e. Restore or preserve any historic or exceptionally significant resources acquired by the City of Richmond Hill;
- f. Promote the acquisition by the City of Richmond Hill of façade easements and conservation easements, as appropriate, in accordance with the provisions of the Georgia Uniform Conservation Easement Act of 1992 (O.C.G.A., Section 44-10.1 through 8)
- g. Conduct educational programs on resources located within the City and on general historic preservation activities;
- h. Make such investigations and studies of matters relating to historic preservation, including consultation with historic preservation experts, the Richmond Hill City Council or the Commission itself may, from time to time, deem necessary or appropriate for the purposes of preserving historic resources;
- i. Seek out local, state, federal or private funds for historic preservation, and make recommendations to the Richmond Hill City Council concerning the most appropriate uses of any funds acquired;
- j. Submit to the Historic Preservation Division of the Georgia Department of Natural Resources a list of local historic landmarks and historic districts designated;
- k. Perform historic preservation activities as the official agency of the City of Richmond Hill;
- l. Employ persons, if necessary, to carry out the responsibilities of the Commission;
- m. Receive donations, grants, funds, or gifts of historic or exceptionally significant resources, and acquire and sell such resources. The Commission shall not obligate the City of Richmond Hill without prior consent.
- n. Review and make comments to the Historic Preservation Division of the Georgia Department of Natural Resources concerning the nomination of resources within its jurisdiction to the National Register of Historic Places; and
- o. Participate in private, state and federal historic preservation programs and, with the consent of the Richmond Hill City Council, enter into agreements to do the same.

E. *Commission's Power to Adopt Rules and Standards.* The Commission shall adopt by-laws and rules and standards for the transaction of its business and for consideration of application for designation of Certificates of Appropriateness. The Commission shall have the flexibility to adopt rules and standards without amendment to this Ordinance. The Commission shall provide for the time and place of regular meetings and a method for the calling of special meetings. The Commission shall select such officers as it deems appropriate from among its members to include a Chair and Vice-Chair annually at its first regular meeting. A quorum shall consist of a majority of the members.

F. *Conflict of Interest.* The Commission shall be subject to all conflict of interest laws set forth in Georgia Statutes and in the City of Richmond Hill Charters.

- G. *Commission's Authority to Receive Funding from Various Sources.* The Commission shall have the authority to accept donations and shall ensure that these funds do not displace appropriated governmental funds.
- H. *Records of Commission Meetings.* A public record shall be kept of the Commission resolution, proceedings and actions.

#### SECTION IV - Recommendation and Designation of Historic Districts and Properties

##### A. *Preliminary Research by the Commission.*

- a. *Commission's Mandate to Conduct a Survey of Local Historical Resources.* The Commission shall compile and collect information and conduct surveys of historic resources within the City of Richmond Hill.
- b. *Commission's Power to Recommend Districts and Buildings to the Richmond Hill City Council for Designation.* The Commission shall present to the Richmond Hill City Council recommendations for local historic landmarks and historic districts.
- c. *Commission's Documentation of Proposed Designation.* Prior to the Commission's recommendation of a historic district or local historic landmark to the Richmond Hill City Council for designation, the Commission shall prepare a Report for Nomination consisting of:
  - i. a physical description;
  - ii. a statement of the historical, cultural, architectural and/or aesthetic significance;
  - iii. a map showing district boundaries and classification (i.e. contributing, non-contributing) of individual parcels therein, or showing boundaries of individual historic and exceptionally significant resources; and
  - iv. representative photographs.

##### B. *Designation of Historic Districts.*

- a. *Designation.* A historic district must consist of a geographically definable area, which contains buildings, structures, sites, objects, and landscape features or a combination thereof, which:
  - i. has special character or special historic/aesthetic value or interest;
  - ii. represents one or more periods, styles or types of architecture typical of one or more eras in the history of the municipality, county, state or region; and
  - iii. causes such area, by reason of such factors, to constitute a visibly perceptible section of the municipality or county.
- b. *Boundaries of a Historic District.* Boundaries of a historic district shall be included in the separate ordinances designating such districts and shall be shown on the Official Zoning Map of the City of Richmond Hill, or in the absence of zoning, on an official map designated as a public record.
- c. *Evaluation of Properties within Historic Districts.* Individual parcels within historic districts shall be classified as contributing or non-contributing.

##### C. *Designation of a Local Historic Landmark.*

- a. *Designation.* A local historic landmark is a historic resource that also meets one or more of the following criteria:
  - i. it is an outstanding example of a building, structure, site, or object representative of its era;
  - ii. it is one of the few remaining examples of a past architectural style;
  - iii. it is a place or structure associated with an event or persons of historic or cultural significance to the City of Richmond Hill, State of Georgia, or the region; or



- iv. it is the site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the municipality, county, state or region.
- a. *Boundaries of a Local Historic Landmark.* Boundaries of a local historic landmark shall be included in the nomination and follow parcel lines based on the Official Zoning Map of the City of Richmond Hill, or in the absence of zoning, an official map designated as a public record.
- D. *Application for Designation of Local Historic Landmark or Local Historic District.* Designations may be proposed by the Richmond Hill City Council, the Commission, or:
  - a. for historic districts – a historical society, neighborhood association or group of property owners may apply to the Commission for designation;
  - b. for local historic landmarks – a historical society, neighborhood association or property owner may apply to the Commission for designation.
- E. *Components of a Designation Ordinance.* Any ordinance designating any resource or district shall:
  - a. list each resource in a proposed historic district or describe the proposed individual local historic landmark;
  - b. set forth the name(s) of the owner(s) of the designated resource or resources;
  - c. require that a Certificate of Appropriateness be obtained from the Commission prior to any material change in the exterior appearance of the designated resource; and
  - d. require that the resource or district be shown on the Official Zoning Map of the City of Richmond Hill and be kept as a public record to provide notice of such designation.
- F. *Public Hearings.* The Richmond Hill City Council or the Commission shall hold a public hearing on any proposed ordinance for the designation of any historic district or local historic landmark. Notice of the hearing shall be published in at least three (3) consecutive issues in the principle newspaper of local circulation, and written notice of the hearing shall be mailed by the Commission to all owners and occupants of such properties. All such notices shall be published or mailed not less than ten (10) nor more than twenty (20) days prior to the date set for the public hearing. A notice sent via the United States mail to the last-known owner of the property shown on the City tax digest and a notice sent via attention of the occupant shall constitute legal notification to the owner and occupant under this Ordinance.
- G. *Notification of Historic Preservation Division.* No less than thirty (30) days prior to making a recommendation on any ordinance designating a local landmark or district as historic, the Commission must submit the report, required in Section IV.A.3, to the Historic Preservation Division of the Georgia Department of Natural Resources.
- H. *Recommendations on Proposed Designations.* A recommendation to affirm, modify or withdraw the proposed ordinance for designation shall be made by the Commission within fifteen (15) days following the public hearing and shall be in the form of a resolution to the Richmond Hill City Council.
- I. *City Council Actions on the Commission's Recommendation.* Following receipt of the Commission recommendation, the Richmond Hill City Council may adopt the ordinance as proposed, may adopt the ordinance with any amendments they deem necessary, or reject the ordinance.
- J. *Notification of Adoption of Ordinance for Designation.* Within thirty (30) days following the adoption of the ordinance for designation by the Richmond Hill City Council, the owners and occupants of each designated local historic landmark, and the owners and occupants of each resource located within a designated historic district, shall be given written notification of such designation by the Richmond Hill

City Council, which notice shall apprise said owners and occupants of the necessity of obtaining a Certificate of Appropriateness prior to undertaking any material change in appearance of a local historic landmark or resource within a designated historic district. A notice sent via the United States mail to the last-known owner of the property shown on the City tax digest and a notice sent via United States mail shall constitute legal notification to the owner and occupant under this Ordinance.

- K. *Notification of Other Agencies Regarding Designation.* The Commission shall notify all necessary agencies within the City of Richmond Hill of the ordinance for designation.
- L. *Moratorium.* Building permits for alteration or demolition as well as applications for development review involving local historic landmarks or resources within designated historic districts will not be accepted while an ordinance for designation is pending.

#### SECTION V - Application to Preservation Commission for Certificate of Appropriateness

- A. *Certificate of Appropriateness.* After the designation by ordinance of a local historic landmark or a historic district, no material change in the appearance of a local historic landmark, or of a resource within a historic district, shall be made or be permitted to be made by the owner or occupant thereof, unless or until the application for a Certificate of Appropriateness has been submitted to and approved by the Commission. A building permit shall not be issued without a Certificate of Appropriateness.
- B. *Submission of Plans to Commission.* An application for a Certificate of Appropriateness shall be accompanied by such drawings, photographs, plans and documentation as required by the Commission.
- C. *Interior Alterations.* In its review of applications for Certificates of Appropriateness, the Commission shall not consider interior arrangement or use having no effect on exterior architectural features.
- D. *Technical Advice.* The Commission shall have the power to seek technical advice from outside its members on any application.
- E. *Public Meetings.* The Commission shall hold a public meeting at which each proposed Certificate of Appropriateness is discussed. Notice of the meeting shall be published in the principal newspaper of local circulation in the city and written notice of the hearing shall be mailed by the Commission to all owners and occupants of the subject property. The written and published notice shall be provided in the same manner and time frame as notices are provided before a Public Hearing for Rezoning. The Commission shall give the owner and/or applicant an opportunity to be heard at the Certificate of Appropriateness hearing.
- F. *Commission Action:* The Commission may approve the Certificate of Appropriateness as proposed, approve the Certificate of Appropriateness with any modifications it deems necessary, or reject it.
  - a. *Review of Certificates of Appropriateness.* The Commission shall approve the application and issue a Certificate of Appropriateness if it finds that the proposed material change(s) in the appearance would not have a substantial adverse effect on the aesthetic, historic, or architectural significance and value of the historic resource, exceptionally significant resource, or the historic district. In making this determination, the Commission shall consider, in addition to any other pertinent factors, these criteria when evaluating the following acts:

- i. Reconstruction
- ii. Alteration
- iii. New Construction
- iv. Rehabilitation

- b. *Approval.* The Commission shall issue Certificates of Appropriateness for the above proposed actions if those actions conform in design, scale, building materials and finishes, setback and site features, and to the Secretary of Interior's Standards for the Treatment of Historic Properties.
- c. *Relocation.* A Decision by the Commission approving or denying a Certificate of Appropriateness for the relocation of a building, structure, or object shall be guided by:
  - i. the historic character and aesthetic interest the building, structure or object contributes to its present setting.
  - ii. whether there are definite plans for the area to be vacated and what the effect of those plans on the character of the surrounding area will be.
  - iii. whether the building, structure or object can be moved without significant damage to its physical integrity.
  - iv. whether the proposed relocation area is compatible with the historical and architectural character of the building, structure, site or object.
- d. *Demolition.* A decision by the Commission approving or denying a Certificate of Appropriateness for the demolition of buildings, structures, sites, or objects judged to be 50 years old or older shall be guided by:
  - i. the historic, scenic or architectural significance of the building, structure, site, or object.
  - ii. the importance of the building, structure, site, or object to the ambiance of a district.
  - iii. the difficulty or the impossibility of reproducing such a building, structure, site, or object because of its design, texture, material, detail, or unique location.
  - iv. whether the building, structure, site, or object is one of the last remaining examples of its kind in the neighborhood or the city.
  - v. whether there are definite plans for use of the property where the resource is located if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be.
  - vi. whether reasonable measures can be taken to save the building, structure, site, or object from collapse.
  - vii. whether the building, structure, site, or object is capable of earning reasonable economic return on its value.

G. *Undue Hardship.* When, by reason of unusual circumstances, the strict application of any provision of this Ordinance would result in the exceptional practical difficulty or undue economic hardship upon any owner of a specific property, the Commission, in passing upon applications, shall have the power to vary or modify strict provisions, so as to relieve such difficulty or hardship; provided such variances, modifications, or interpretations shall remain in harmony with the general purpose and intent of said provisions, so that the architectural or historical integrity, or character of the property, shall be conserved and substantial justice done. In granting variances, the Commission may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this Ordinance. An undue hardship shall not be a situation of the owner of the property's own making.

H. *Deadline for Approval or Rejection of Application for Certificate of Appropriateness.*



- a. The Commission shall approve or reject an application for a Certificate of Appropriateness within forty-five (45) days after the filing thereof by the owner or occupant of the property. Evidence of approval shall be by a Certificate of Appropriateness issued by the Commission. Notice of the issuance or denial of a Certificate of Appropriateness shall be sent by United States mail to the applicant and all other persons who have requested such notice in writing filed with the Commission.
  - b. Failure of the Commission to act within said forty-five (45) days shall constitute approval, and no other evidence of approval shall be needed.
- I. *Necessary Action to be Taken by Commission upon Rejection of Application for Certificate of Appropriateness.*
  - a. In the event the Commission rejects an application, it shall state its reasons for doing so, and shall transmit a record of such actions and reasons, in writing, to the applicant. The commission may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant, if he or she so desires, may make modifications to the plans and may resubmit the application at any time after doing so.
  - b. In cases where the application covers a material change in the appearance of a structure which would require the issuance of a building permit, the rejection of the application for a Certificate of Appropriateness by the Commission shall be binding upon the building inspector or other administrative officer charged with issuing building permits and, in such a case, no building permit shall be issued.
- J. *Requirement of Conformance with Certificate of Appropriateness.*
  - a. All work performed pursuant to an issued Certificate of Appropriateness shall conform to the requirements of such certificate. In the event work is performed not in accordance with such certificate, the Commission shall issue a cease and desist order and all work shall cease.
  - b. The Commission and the Richmond Hill City Council shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in appearance of a designated historic or exceptionally significant resource or historic district, except those changes made in compliance with the provisions of this Ordinance or to prevent any illegal act or conduct with respect to such historic or exceptionally significant resource or historic district.
- K. *Certificate of Appropriateness Void if Construction not Commenced.* A Certificate of Appropriateness shall become void unless construction is commenced within one (1) year of date of issuance. A Certificate of Appropriateness shall be issued for a period of eighteen (18) and is renewable.
- L. *Recording an Application for Certificate of Appropriateness.* The Commission shall keep a public record of all applications for Certificates of Appropriateness and all the Commission's proceedings in connection with said application.
- M. *Acquisition of Property.* The Commission may, where such action is authorized by the Richmond Hill City Council and is reasonably necessary or appropriate for the preservation of a unique historic property, enter into negotiations with the owner for the acquisition by gift, purchase, exchange, or otherwise, to the property or any interest therein.
- N. *Appeals.* Any person adversely affected by any determination made by the Commission relative to the issuance or denial of a Certificate of Appropriateness may appeal such determination to the Richmond

Hill City Council. Any such appeal must be filed with the Richmond Hill City Council within fifteen (15) days after the issuance of the determination pursuant to Section V.H1 of this Ordinance or, in the case of a failure of the Commission to act, within fifteen (15) days of the expiration of the forty-five (45) day period allowed for the Commission action, Section V.H 2 of this Ordinance. Appeals for properties within the City of Richmond Hill shall be made to the Richmond Hill City Council. The Richmond Hill City Council may approve, modify, or reject the determination made by the Commission, if the governing body finds that the Commission abused its discretion in reaching its decision. Appeals from decisions of the Richmond Hill City Council may be taken to the Superior Court of Bryan County in the manner provided by law for appeals from conviction for the City of Richmond Hill ordinance violations.

#### SECTION VI - Maintenance of Historic Properties and Building and Zoning Code Provisions

- A. *Ordinary Maintenance or Repair.* Ordinary maintenance or repair of any exterior architectural or environmental feature in or on a resource to correct deterioration, decay, or to sustain the existing form, and that does not involve a material change in design, material or outer appearance thereof, does not require a Certificate of Appropriateness.
- B. *Failure to Provide Ordinary Maintenance or Repair.* Owners of local historic landmarks or resources within historic districts shall not allow their buildings to deteriorate by failing to provide ordinary maintenance or repair. The Commission shall be charged with the following responsibilities regarding deterioration by neglect.
  - a. The Commission shall monitor the condition of local historic landmarks and existing buildings in historic districts to determine if they are being allowed to deteriorate by neglect. Such conditions as broken windows, doors and exterior openings which allow the elements and vermin to enter, or the deterioration of a buildings structural system shall constitute failure to provide ordinary maintenance or repair.
  - b. In the event the Commission determines a failure to provide ordinary maintenance or repair, the Commission will notify the owner of the property where the resource is located and set forth the steps which need to be taken to remedy the situation. The owner of such property will have thirty (30) days in which to do this.
  - c. In the event that the condition is not remedied in thirty (30) days, the owner shall be penalized as provided in Section VII of this Ordinance and, at the direction of the Richmond Hill City Council, the Commission may perform such maintenance or repair as is necessary to prevent deterioration by neglect. The owner of the property where the resource is located shall be liable for the cost of such maintenance and repair performed by the Commission.
- C. *Affirmation of Existing Building and Zoning Codes.* Nothing in this Ordinance shall be construed as to exempt property owners from complying with existing City building and zoning codes, nor prevent any property owner from making any use of this property not prohibited by other statutes, ordinances or regulations.

#### SECTION VII - Penalty Provisions

*Violation.* Violations of any provisions of this Ordinance shall be penalized in the same manner as provided for penalty of violations of validly enacted ordinances of the City of Richmond Hill.

#### SECTION VIII - Severability

*Adjunction.* In the event that any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjunction shall in manner affect the other

sections, sentences, clauses, or phrases of this Ordinance, which shall not remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally part thereof.

#### SECTION IX - Repealer

*Conflicts.* All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

#### SECTION X - Effective Date


This Ordinance shall become effective on March 7, 2018.  
THEREFORE BE IT RESOLVED, that the Richmond Hill City Council do hereby ordain, resolve and enact foregoing Historic Preservation Commission Ordinance for the City of Richmond Hill.

Adopted this 6th day of March 2018.

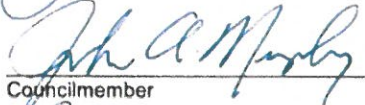
Date of Implementation: 7th day of March 2018.


APPROVED:  
RICHMOND HILL CITY COUNCIL

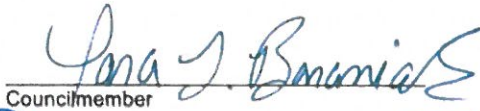
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Mayor

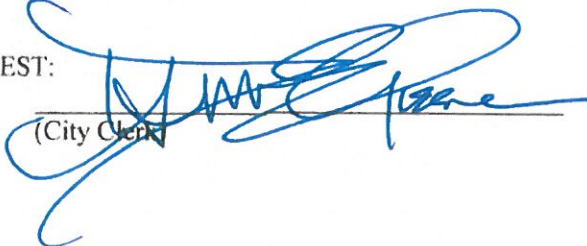
  
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ATTEST:

  
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(City Clerk)